IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 61 OF 2005

IN

APPEAL FROM ORDER NO. 179 OF 2001

M/s.Homeland Developers & ors. .. Applicants

versus

Shri Prakash Maruti Sonawane .. Respondent

...

Mrs.Indrayani Koparkar i/b N.P. Deshpande for the applicants.

Mr.A.P. Vanarse for the respondent.

CORAM : B.H. MARLAPALLE,J

DATED : 30th August 2005.

P.C.:

1. Heard the learned counsel for the parties. It would be appropriate for the applicants to apply to the Court below in the pending suit i.e. Special Suit no.99 of 2000 for permission to develop the suit

property on the basis of offer to deposit an amount of Rs.2,35,000/- and the trial Court may consider the said application on its own merits. Civil Application is disposed of accordingly.

2. If such an application is made within a period of two weeks from today, let it be decided within six weeks thereafter on its own merits.

B.H. MARLAPALLE, J